

§ 82.7

40 CFR Ch. I (7–1–13 Edition)

<i>Controlled substance</i>	<i>Person</i>	<i>Allowances (kg)</i>
	TG (USA) Corporation .....	7,073
	Unitor Ships Service, Inc .....	14,746
	Vulcan Chemicals .....	70,765,072
	(f) For Group VI controlled substances:	
Methyl Bromide .....	Great Lakes Chemical Corporation .....	15,514,746
	Ethyl Corporation .....	6,379,906
	AmeriBrom, Inc .....	3,524,393
	TriCal, Inc .....	109,225
	(g) For Group VII controlled substances:	
HBFC 22B1–1 .....	Great Lakes Chemical Corporation .....	40,110

[60 FR 24986, May 10, 1995, as amended at 68 FR 2848, Jan. 21, 2003]

**§ 82.7 Grant and phase reduction of baseline production and consumption allowances for class I controlled substances.**

granted the specified percentage of the baseline production and consumption allowances apportioned to him under §§ 82.5 and 82.6 of this subpart.

For each control period specified in the following table, each person is

Control period	Class I substances in groups I and III, (In percent)	Class I substances in group II, (In percent)	Class I substances in group IV (In percent)	Class I substances in group V (In percent)	Class I substances in group VI (In percent)	Class I substances in group VII (In percent)
1994 .....	25	0	50	50	100	100
1995 .....	25	0	15	30	100	100
1996 .....	0	0	0	0	100	0
1997 .....	0	0	0	0	100	0
1998 .....	0	0	0	0	100	0
1999 .....	0	0	0	0	75	0
2000 .....	0	0	0	0	75	0
2001 .....					50	
2002 .....					50	
2003 .....					30	
2004 .....					30	
2005 .....					0	

[65 FR 70803, Nov. 28, 2000]

**§ 82.8 Grant of essential use allowances and critical use allowances.**

(a) Effective January 1, 1996, persons in the following list are allocated essential-use allowances or exemptions

for quantities of a specific class I controlled substance for a specific essential-use (the Administrator reserves the right to revise the allocations based on future decisions of the Parties).

TABLE I—ESSENTIAL USE ALLOWANCES FOR CALENDAR YEAR 2010

(i) Metered Dose Inhalers (for oral inhalation) for Treatment of Asthma and Chronic Obstructive Pulmonary Disease		
Company	Chemical	2010 Quantity (metric tons)
Armstrong .....	CFC–11 or CFC–12 or CFC–114. ....	30.0

(b) A global exemption for class I controlled substances for essential laboratory and analytical uses shall be in

effect through December 31, 2014, subject to the restrictions in appendix G of

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this subpart, and subject to the record-keeping and reporting requirements at § 82.13(u) through (x). There is no amount specified for this exemption.

(c) Effective January 1, 2005, critical use allowances are apportioned as set forth in paragraph (c)(1) of this section for the exempted production and import of class I, Group VI controlled substances specifically for those approved critical uses listed in appendix L to this subpart for the applicable control period. Every kilogram of production and import in excess of the total number and type of unexpended critical use allowances held for a particular type of use constitutes a separate violation of this subpart. Effective January 1, 2005, critical stock allowances are issued as set forth in paragraph (c)(2) of this section for the sale of class I, Group VI controlled substances from inventory produced or imported before the January 1, 2005 phase-out date specifically for those approved critical uses listed in appendix L to this subpart for the applicable control period.

(1) Allocated critical use allowances granted for specified control period.

Company	2012 Critical use allowances for pre-plant uses* (kilograms)	2012 Critical use allowances for post-harvest uses* (kilograms)
Great Lakes Chemical Corp. A Chemtura Company .....	425,197	36,499
Albemarle Corp .....	174,851	15,009
ICL-IP America .....	96,626	8,294
TriCal, Inc .....	3,009	258
<i>Total**</i> .....	<i>699,683</i>	<i>60,061</i>

\* For production or import of Class I, Group VI controlled substance exclusively for the Pre-Plant or Post-Harvest uses specified in appendix L to this subpart.

\*\* Due to rounding, numbers do not add exactly.

(2) Allocated critical stock allowances granted for specified control period. The following companies are allocated critical stock allowances for 2012 on a pro-rata basis in relation to the inventory held by each.

### COMPANY

Albemarle  
Degesch America, Inc.  
Prosource One  
Bill Clark Pest Control, Inc.  
Helena Chemical Co.  
Trical Inc.

Burnside Services, Inc.  
ICL-IP America  
Trident Agricultural Products  
Cardinal Professional Products  
Industrial Fumigant Company  
TriEst Ag Group, Inc.  
Chemtura Corp.  
Pacific Ag Supplies Inc.  
Univar  
Crop Production Services  
Pest Fog Sales Corp.  
Western Fumigation  
TOTAL—263,082 kilograms

TOTAL—555,200 kilograms

[69 FR 77003, Dec. 23, 2004]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 82.8, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

### § 82.9 Availability of production allowances in addition to baseline production allowances for class I controlled substances.

(a) Every person apportioned baseline production allowances for class I controlled substances under § 82.5 (a) through (f) of this subpart is also granted Article 5 allowances equal to:

(1) 10 percent of their baseline production allowances listed for class I, Group I, Group III, Group IV, and Group V controlled substances listed under § 82.5 of this subpart for each control period ending before January 1, 1996;

(2) 15 percent of their baseline production allowances for class I, Group VI controlled substances listed under § 82.5 of this subpart for each control period ending before January 1, 2005;

(3) 15 percent of their baseline production allowances for class I, Group II controlled substances listed under § 82.5 of this subpart for each control period beginning January 1, 1994, until January 1, 2003;

(4) 15 percent of their baseline production allowances for Class I, Group IV and Group V controlled substances listed under § 82.5 of this subpart for each control period beginning January 1, 1996 until January 1, 2010;

(b) Effective January 1, 1995, a person allocated Article 5 allowances may produce class I controlled substances for export to Article 5 countries as